

EXHIBIT P

examine the registration and election processes and the condition, custody, and operation of voting machines in any county or municipality. The deputy shall have access to all registration books and records as well as any other records or procedures relating to the voting process. The deputy shall supervise preparation of the election machines and procedures for election, and it shall be unlawful for any person to obstruct the deputy in the performance of his duty. He shall file with the Department of State a certificate that he personally examined the voting machines and with such certificate file a report of his findings and observations of the registration and election processes in the county or municipality, and a copy of the certificate and report shall also be filed with the clerk of the circuit court of said county. The compensation of such deputies shall be fixed by the Department of State; and costs incurred under this section shall be paid from the annual operating appropriation made to the Department of State.

History.—s. 13, ch. 18405, 1937; CGL 1940 Supp. 337(28-b); s. 5, ch. 26870, 1951; s. 1, ch. 63-256; ss. 10, 35, ch. 69-106; s. 1, ch. 73-305; s. 21, ch. 77-175.

Note.—Former s. 100.31.

101.62 Request for absentee ballots.—

(1) An absent elector may request from the supervisor of elections or his deputy an absentee ballot during the 1-year period preceding an election. The supervisor may accept a request for an absentee ballot for an elector from any person designated by such elector. Such request may be made in person, by mail, or by telephone. One request shall be deemed sufficient to receive an absentee ballot for each election which is held within such 1-year period, provided the elector or his designee indicates at the time the request is made the elections for which the elector desires to receive an absentee ballot.

(2) If a request for an absentee ballot is received, after the Friday before the election, by the supervisor of elections from an absent elector overseas, the supervisor shall send a notice to the elector acknowledging receipt of his request and notifying the elector that the ballot will not be forwarded due to insufficient time for return of the ballot by the required deadline.

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered or mailed, the date the ballot was received by the supervisor, and such other information he may deem necessary.

(4) As soon as the absentee ballots are printed, the supervisor of elections shall deliver or mail an absentee ballot to each elector for whom a request for such ballot has been made. Any elector, however, may designate in writing a person to pick up the ballot for him. Upon presentation, of such written authorization by such designee in person, the supervisor may give the ballot to such designee for delivery to the elector. The supervisor shall initial the stub attached to the absentee ballot and enter the name of the elector in the place indicated for the elector to sign. The supervisor shall then detach the ballot from the stub and mail or deliver the ballot. Before mailing or delivering the ballot, the supervisor shall fill in the number of the precinct in which the voter is reg-

istered in the space provided for this purpose on the envelope. If an elector appears in person to cast an absentee ballot, the elector shall sign the stub, and the supervisor shall then detach the ballot from the stub and deliver the ballot to the elector.

(5) No campaign literature shall be mailed or delivered with any absentee ballot.

History.—s. 2, ch. 7380, 1917; RGS 369; CGL 430; s. 1, ch. 25385, 1949; s. 5, ch. 26870, 1951; s. 32, ch. 28156, 1953; s. 21, ch. 29934, 1955; s. 2, ch. 59-213; s. 32, ch. 65-380; s. 1, ch. 67-33; s. 2, ch. 69-136; s. 4, ch. 69-280; s. 2, ch. 70-93; ss. 1, 2, ch. 71-149; s. 5, ch. 73-157; s. 39, ch. 73-333; s. 2, ch. 75-174; s. 21, ch. 77-175; s. 40, ch. 79-400.

Note.—Former s. 101.02.

101.635 Distribution of blocks of printed ballots.—In any county in which the supervisor of elections maintains deputies in a municipality other than the county seat and such municipality has a population in excess of 90,000, blocks of numbered ballots shall be made available as required and as the supervisor may direct, in order to comply with the provisions of s. 98.181. All ballots made available in any such municipality shall be fully accounted for to the supervisor.

History.—s. 22, ch. 77-175.

101.64 Delivery of absentee ballots; envelopes; form.—

(1) The supervisor shall enclose with each absentee ballot two envelopes, a plain white envelope into which the absent elector shall enclose and seal his marked ballot and a second envelope, into which the absent elector shall then place the sealed white envelope, which shall be addressed to the supervisor and also bear on the back side of this "mailing envelope" a certificate which shall be substantially in the following form:

Note: Please Read Instructions Carefully Before
Marking Ballot and Completing Voter's Certificate.
VOTER'S CERTIFICATE

YOU COME UNDER THE PURVIEW OF THE
DEFINITION OF "ABSENTEE ELECTOR" IF
YOU:

1. Are unable without the assistance of another to attend the polls.
2. Will not be in (insert appropriate county) County during the hours the polls are open.
3. Are an inspector, poll worker, deputy voting machine custodian, deputy sheriff, municipal election official, supervisor of elections, or deputy supervisor of elections and will be assigned to a different precinct than that in which you are registered.
4. Cannot attend the polls on election day because of the tenets of your religion.
5. Have moved to another county in Florida within the period when the registration books are closed. You will be permitted to vote on national and statewide offices and issues.
6. Have moved to another state and are unable by that state's laws to vote in the general election. You will be permitted to vote for the President and Vice President.

Ch. 101

VOTING METHODS AND PROCEDURE

F.S. 1981

I HEREBY CERTIFY THAT I AM VOTING ABSENTEE FOR ONE OF THE REASONS STATED ABOVE AND THAT I AM DULY QUALIFIED AND REGISTERED AS A (party) ELECTOR OF THE (precinct) OF (insert appropriate county) COUNTY AND THE STATE OF FLORIDA.

(SIGNATURE OF VOTER)

VOTER MUST SIGN ABOVE

Two Witnesses Eighteen (18) Years or Older.

(First Witness)

(Address)

(City/State)

(Second Witness)

(Address)

(City/State)

(2) The statement shall be so arranged that the signature of the absent elector and the attesting witnesses shall be across the seal of the envelope. The absent elector and the attesting witnesses shall execute the form on the envelope.

History.—s. 4, ch. 7380, 1917; RGS 371; CGL 432; s. 1, ch. 25385, 1949; s. 5, ch. 26870, 1951; s. 34, ch. 28156, 1953; s. 22, ch. 29934, 1955; s. 1, ch. 61-369; s. 33, ch. 65-380; s. 3, ch. 69-136; s. 5, ch. 69-280; s. 21, ch. 71-355; s. 1, ch. 73-105; s. 6, ch. 73-157; s. 39, ch. 73-333; s. 3, ch. 75-174; s. 23, ch. 77-175; s. 4, ch. 79-365; s. 1, ch. 81-106; s. 9, ch. 81-304.

Note.—Former s. 101.04.

101.65 Instructions to absent electors.—The supervisor of elections shall enclose with each ballot sent to an absent elector separate printed instructions in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1. Mark your ballot in secret as instructed on the ballot.

2. Place your marked ballot in the enclosed plain white envelope.

3. Securely seal the plain white envelope and place it in the enclosed mailing envelope which is addressed to the supervisor.

4. Seal the mailing envelope and completely fill out the Voter's Certificate on the back of the mailing envelope.

5. **VERY IMPORTANT.** Sign your name on the line above "(Voter's Signature)." Persons serving as attesting witnesses shall affix their signatures and addresses on the Voter's Certificate. Any two persons 18 years of age or older may serve as attesting witnesses.

6. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

7. **VERY IMPORTANT.** The supervisor of elections of the county in which your precinct is located must receive your ballot no later than 7 p.m. on the day of the election.

History.—s. 5, ch. 7380, 1917; RGS 372; CGL 433; s. 1, ch. 25385, 1949; s. 5, ch. 26870, 1951; s. 35, ch. 28156, 1953; s. 23, ch. 29934, 1955; s. 34, ch. 65-380; s. 4, ch. 71-149; s. 9, ch. 72-63; s. 2, ch. 73-105; s. 7, ch. 73-157; ss. 3, 4, ch. 75-174; s. 23, ch. 77-175; s. 2, ch. 81-106; s. 10, ch. 81-304.

Note.—Former s. 101.05.

101.67 Safekeeping of mailed ballots; deadline for receiving absentee ballots; certain absentee ballots not to be counted.—

(1) The supervisor of elections shall safely keep in his office any envelopes received containing marked ballots of absent electors, and he shall, before the canvassing of the election returns, deliver the envelopes to the county canvassing board along with his file or list kept regarding said ballots.

(2) All marked absentee electors' ballots to be counted must be received by the supervisor by 7 p.m. the day of the election. All ballots received thereafter shall be marked with the time and date of receipt and filed in his office.

History.—s. 2, ch. 11824, 1927; CGL 436; s. 1, ch. 25385, 1949; s. 5, ch. 26870, 1951; s. 24, ch. 29934, 1955; s. 24, ch. 57-1; s. 35, ch. 65-380; s. 5, ch. 71-149; s. 23, ch. 77-175.

Note.—Former s. 101.07.

101.68 Canvassing of absent elector's ballot.

(1) The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor may compare the information on the Voter's Certificate on the back of the envelope with the information in the registration books to determine whether the elector is duly registered in the precinct and may record on the elector's registration certificate that the elector has voted. The supervisor shall safely keep the ballot unopened in his office until the county canvassing board canvasses the vote according to law. The canvassing board shall begin the canvassing of absentee ballots not later than noon on the day following the election. The canvassing board shall compare the ballots presented to it by the supervisor for canvass with the record required by s. 101.62(3), so as to compare the number of ballots in its possession with the number of requests for ballots received to be counted according to the supervisor's file or list, to insure all the absentee ballots to be counted by the canvassing board are accounted for. The canvassing board shall, if the supervisor has not already done so, compare the information on the back of the envelope with the registration book to see that the elector is duly registered in the precinct and has not voted on election day and to determine the legality of the absent elector's ballot. If it is determined by the canvassing board that any vote is illegal, then some member of the board shall, without opening the envelope, mark across the face of the envelope, "rejected as illegal." The envelope and the ballot contained therein shall be preserved in the manner that official ballots voted are preserved.

(2) If any elector or candidate present believes that any absentee ballot is illegal due to any defect apparent on the Voter's Certificate, he may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of such ballot, specifying the precinct, the ballot, and the reason he believes such ballot to be illegal. No challenge based upon any defect in the Voter's Certificate shall be accepted after the ballot has been removed from the mailing envelope.

(3) The county canvassing board shall then record the ballot upon the poll book of the proper precinct in the same manner as clerks of elections record votes, unless the ballot has been previously recorded by the supervisor of elections. The mailing envelopes for the entire county shall be opened and the plain

white sealed envelopes shall be mixed up so as to make it impossible to determine which plain envelope came out of which signed mailing envelope; however, in any county in which an electronic or electromechanical voting system is used, the ballots may be sorted by ballot styles and the mailing envelopes may be opened and the plain white envelopes mixed up for each ballot style separately. The votes on absentee ballots shall be included in the total vote of the county.

(4) The supervisor or the chairman of the canvassing board shall, after the board convenes, have custody of the absent electors' ballots until a final proclamation is made as to the total vote received by each candidate.

History.—s. 5, ch. 26870, 1951; s. 37, ch. 28156, 1953; s. 36, ch. 65-380; s. 6, ch. 69-280; s. 3, ch. 75-174; s. 23, ch. 77-175; s. 41, ch. 79-400.

101.69 Voting in person; return of absent elector's ballot.—The provisions of this code shall not be construed to prohibit any absent elector returning to his home county from voting in his precinct at any election notwithstanding that he has requested an absentee ballot and the same has been mailed to him, provided the elector returns the ballot whether voted or not, if he received same, to the election board in his precinct. The returned ballot shall be marked "canceled" by the board and placed with other canceled ballots.

History.—s. 1, ch. 22014, 1943; s. 1, ch. 25385, 1949; s. 5, ch. 26870, 1951; s. 37, ch. 65-380; s. 23, ch. 77-175.

Note.—Former s. 101.11.

101.692 Post card application for ballot.—

(1) Upon receipt of a federal post card application for an absentee ballot, the supervisor of elections shall check the registration records to determine whether the applicant's registration is in order.

(2) If the applicant's registration is in order, an absentee ballot shall be mailed as provided in s. 101.694.

(3) If the applicant's registration is not in order and the supervisor finds that the applicant has never registered in the county, that the registration books are open, and that the applicant is entitled to register absentee in accordance with the provisions of s. 97.063(1), then the supervisor shall send to the applicant the absentee registration form as provided in s. 97.063(4), which shall permit the applicant's registration in accordance with s. 97.063 when it is properly filled out and returned to the supervisor during the period in which the registration books are open.

(4) If the applicant's registration is not in order and the supervisor finds that the applicant has previously been registered and his registration has lapsed because of his failure to reregister or because of his failure to return a notice mailed to his address of record by the supervisor in compliance with the provisions of the permanent single registration law, then the supervisor shall reinstate such elector.

(5) No absentee ballot mailed in accordance with subsection (3) shall be counted if the applicant does not complete his registration.

History.—s. 3, ch. 29904, 1955; s. 2, ch. 59-217; s. 39, ch. 65-380; s. 6, ch. 72-63; s. 23, ch. 77-175; s. 49, ch. 81-259; s. 19, ch. 81-304.

101.694 Mailing of ballots upon receipt of federal post card application.—

(1) Upon receipt of a federal post card application for an absentee ballot executed by a person whose registration is in order, the supervisor of elections shall mail to the applicant a ballot, if the ballots are available for mailing.

(2) Upon receipt of a federal post card application for an absentee ballot executed by a person whose registration is not in order, the supervisor of elections shall follow the procedure set forth in subsection (3) or subsection (4) of s. 101.692, where applicable.

(3) There shall be printed across the face of each envelope in which a ballot is sent to a federal post card applicant, or is returned by such applicant to the supervisor, two parallel horizontal red bars, each one-quarter inch wide, extending from one side of the envelope to the other side, with an intervening space of one-quarter inch, the top bar to be 1 ¼ inches from the top of the envelope, and with the words "Official Election Balloting Material-via Air Mail," or similar language, between the bars. There shall be printed in the upper right corner of each such envelope, in a box, the words "Free of U. S. Postage, including Air Mail." All printing on the face of each envelope shall be in red, and there shall be printed in red in the upper left corner of each ballot envelope an appropriate inscription or blanks for return address of sender. Additional specifications may be prescribed by rule of the Division of Elections upon recommendation of the presidential designee under the Federal Voting Assistance Act and the Overseas Citizens Voting Rights Act. Otherwise the envelopes shall be the same as those used in sending ballots to, or receiving them from, other absentee voters.

(4) Cognizance shall be taken of the fact that absentee ballots and other materials such as instructions and envelopes are to be carried via air mail, and, to the maximum extent possible, such ballots and materials shall be reduced in size and weight of paper. The same ballot shall be used, however, as is used by other absentee voters.

History.—s. 5, ch. 29904, 1955; ss. 4, 5, ch. 59-217; s. 41, ch. 65-380; s. 12, ch. 69-280; s. 23, ch. 77-175; s. 20, ch. 81-304.

101.71 Polling place.—

(1) There shall be in each precinct in each county one polling place which shall be accessible to the public on election day and is managed by a board of inspectors and clerk of election. Only one elector shall be allowed to enter any voting booth at a time; no one except inspectors shall be allowed to speak to him while casting his vote; and no inspector shall speak to or interfere with the elector concerning his voting, except to perform his duties as such inspector. Notwithstanding any other provision of this chapter, this section shall be applicable where the computer method of voting is in use, and adequate provision shall be made for the privacy of the elector while casting his vote.

(2) Notwithstanding the provisions of subsection (1), whenever the supervisor of elections of any county determines that the accommodations for holding any election at a polling place designated for any pre-